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Date of Deposit: October 9, 2003

Attorney Docket No.: 20363-015 NATL



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Nadler, *et al.*  
SERIAL NUMBER : 09/830,400 ✓

EXAMINER : Ewoldt, Gerald R.

FILING DATE : July 20, 2001

ART UNIT : 1644

FOR : CANCER IMMUNOTHERAPY AND DIAGNOSIS USING UNIVERSAL TUMOR  
ASSOCIATED ANTIGENS, SUCH AS THE TELOMERASE CATALYTIC SUBUNIT  
(HTERT), AND METHODS FOR IDENTIFYING UNIVERSAL TUMOR ASSOCIATED  
ANTIGENS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

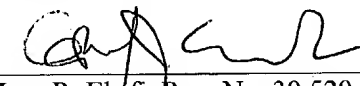
1. Response to Notice to Comply with Sequence Listing Requirements (1 pg.);
2. Copy of Notice to Comply with Sequence Listing Requirements (2 pgs.); and
3. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

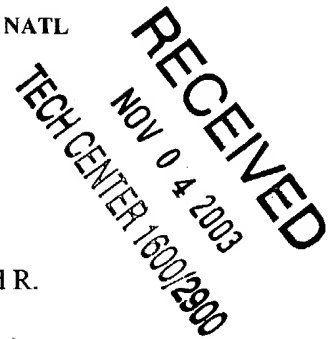
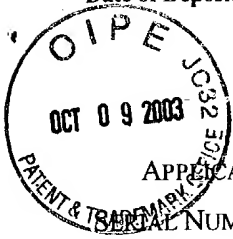
With no extension of time, this response is due on or before Monday, October 27, 2003 (October 26, 2003 is a Sunday). Applicants believe no fees are due in this filing, however, if a fee is due, the Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. 50-0311, Reference No. 20363-015NATL.

Respectfully submitted,

October 9, 2003

for  2265048223  
Ivor R. Elmfi, Reg. No. 39,529  
Cynthia A. Kozakiewicz, Reg. No. 42,764  
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MINTZ, LEVIN, COHN, FERRIS,  
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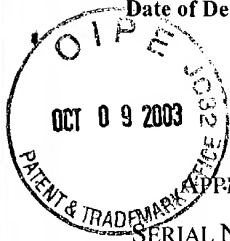
October 9, 2003

*[Signature]* *REG NO 48223*  
for

Ivor R. Elrifi, Reg. No. 39,529  
Cynthia A. Kozakiewicz, Reg. No. 42,764  
Attorneys for Applicants  
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**RESPONSE TO NOTICE TO COMPLY WITH  
SEQUENCE LISTING REQUIREMENTS**

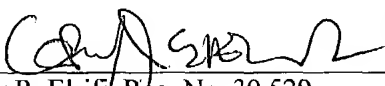
In response to the Notice to Comply with Sequence Listing Requirements, mailed September 26, 2003, in the above-mentioned application, Applicants respectfully assert that the sequence listing filed on February 6, 2002 in paper and electronic forms complies with the requirements of 37 CFR §§1.821-1.825. Applicants assert that all sequences in the claims and specification are identified by SEQ ID NOs, as required by 37 CFR §§1.821-1.825.

With no extension of time, this response is due on or before Monday, October 27, 2003 (October 26, 2003 is a Sunday). Applicants believe no fees are due in this filing, however, if a fee is due, the Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. 50-0311, Reference No. 20363-015NATL.

The Examiner is encouraged to call the undersigned below with any questions or comments related to this filing.

Respectfully submitted,

October 9, 2003

for  **NO 48223**  
Ivor R. Elrifi, Reg. No. 39,529  
Cynthia A. Kozakiewicz, Reg. No. 42,764  
Attorneys for Applicants  
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GLOVSKY and POPEO, P.C.  
Tel: (617) 542-6000  
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Application No.: 09/830,400

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: all sequences in claims and specification must be identified by SEQ ID NO:.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing". \*if necessary
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216  
For CRF Submission Help, call (703) 308-4212  
PatentIn Software Program Support

Technical Assistance.....703-287-0200  
To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**



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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132. Specifically, all sequences in the claims and specification must be identified by SEQ ID NO:.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. **In no case may an applicant extend the period for response beyond the six month statutory period.** Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication should be directed to Dr. Gerald Ewoldt whose telephone number is (703) 308-9805. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Christina Chan whose telephone number is (703) 308-3973. The fax number for the organization where this application is assigned is (703) 308-4242.

G.R. Ewoldt, Ph.D.  
Primary Examiner  
Tech Center 1600  
September 23, 2003